

10/533994

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NO. U115 R. 2

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**DECLARATION FOR UTILITY OR
 DESIGN
 PATENT APPLICATION
 (37 CFR 1.63)**

Declaration
 Submitted
 with Initial
 Filing

Declaration
 Submitted after Initial
 Filing (surcharge
 (37 CFR 1.16 (e))
 required)

| | |
|------------------------|-----------------|
| Attorney Docket Number | 00839-03 |
| First Named Inventor | D. Stephen Lane |
| COMPLETE IF KNOWN | |
| Application Number | |
| Filing Date | |
| Group Art Unit | |
| Examiner Name | |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Corrosion Protection for Metals in Cementitious Material and Method of
 Applying and Making the Same**

the specification of which

(Title of the Invention)

 is attached hereto

OR

 was filed on (MM/DD/YYYY) **11/06/2003**

as United States Application Number or PCT International

Application Number **PCT/US2003/035475** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 358(b) of any foreign application(s) for patent or inventor's certificate, or 356(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? |
|-------------------------------------|---------|----------------------------------|--|--|
| | | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|---|
| 60/424,516 | 11/07/2002 | <input type="checkbox"/> |

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 35(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (If applicable) |
|--|---------------------------------|--------------------------------------|
| PCT/US2003/035475 | 11/06/2003 | |

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02C attached hereto.
 As an named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label here
 OR
 Registered practitioner(s) name/registration number listed below

| Name | Registration Number | Name | Registration Number |
|---------------------|---------------------|------|---------------------|
| Robert J. Decker | 44,056 | | |
| Rodney L. Sparks | 53,625 | | |
| Robert S. MacWright | 32,425 | | |

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number or Bar Code Label OR Correspondence address below

| | |
|---------|-----------|
| Name | |
| Address | |
| Address | |
| City | State |
| Country | Telephone |
| | Fax |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|--|---|---------|----|
| Name of Sole or First Inventor: | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | |
| Given Name (first and middle (if any)) | Family Name or Surname | | |
| D. Stephen | Lane | | |
| Inventor's Signature | D. Stephen Lane | | |
| Residence: City | Barboursville | State | VA |
| Post Office Address | 4051 Burnley Station Road | | |
| Post Office Address | | | |
| City | Barboursville | State | VA |
| | ZIP | 22923 | |
| | | Country | US |
| Citizenship US | | | |
| Date 4/15/2005 | | | |
| <input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto | | | |

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ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

DECLARATION

| | | | |
|---|---------------|---|-------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| B. D. Brian D. | | Chambers | |
| Inventor's Signature | R. Chambers | | |
| Residence: City | Jackson | State | MS |
| | | Country | US |
| Citizenship US | | | |
| Mailing Address 5000 Ridgewood Road, Apt. 204 | | | |
| Mailing Address | | State | MS |
| City Jackson | | ZIP | 39211 |
| | | Country | US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| S. Ray | | Taylor | |
| Inventor's Signature | S. Ray Taylor | | |
| Residence: City | Madison | State | MS |
| | | Country | US |
| Citizenship US | | | |
| Mailing Address 603 Gordon Place | | | |
| Mailing Address | | State | MS |
| City Madison | | ZIP | 39110 |
| | | Country | US |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| Inventor's Signature | | | |
| Residence: City | State | Country | Citizenship |
| Mailing Address | | | |
| Mailing Address | | | |
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PATENT
Attorney Docket No. 00839-03

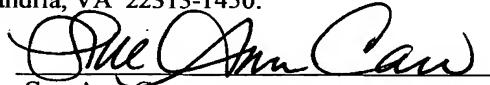
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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| | | | | |
|-----------------------------------|---|---|---------------------|---------|
| <i>Applicant:</i> | D. Stephen Lane, et al. | } | <i>Customer No.</i> | 34444 |
| <i>International Serial No.</i> | PCT/US 2003/035475 | | <i>Art Unit:</i> | Unknown |
| <i>International Filing Date:</i> | 6 November 2003 | | <i>Examiner:</i> | Unknown |
| <i>Title:</i> | Corrosion Protection for Metals in Cementitious Material and Method of Applying and Making the Same | | | |

Certificate of Mailing Under 37 CFR §1.10
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I hereby certify that this correspondence is being deposited with the United States Postal Service using Express Mail Service under 37 C.F.R. §1.10 on the date indicated below and is addressed to Mail Stop PCT, U.S. Receiving Office, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: May 5, 2005


Sue Ann Carr

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR §1.27 (a)(3)(C))

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Dear Sir:

With respect to the captioned invention, I hereby state that I am an official empowered to act on behalf of the University of Virginia Patent Foundation, a nonprofit organization, and that the University of Virginia Patent Foundation is Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) and that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR §1.27(a)(3)(C), for purposes of paying reduced fees under §§41(a) and (b) of Title 35, United States Code.

I hereby state that rights under contract or law remain with and have been conveyed to the University of Virginia Patent Foundation.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §§1.27(g)(2)).

Respectfully submitted,



May 5, 2005

Robert J. Decker, In-House Patent Counsel
University of Virginia Patent Foundation
1224 West Main Street, Suite 1-110
Charlottesville, VA 22903
(434) 924-2640